

**ORDINANCE NO. 040422-47**

**AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 500 EAST BEN WHITE BOULEVARD FROM FAMILY RESIDENCE (SF-3) DISTRICT TO GENERAL COMMERCIAL SERVICES-CONDITIONAL OVERLAY (CS-CO) COMBINING DISTRICT FOR TRACT ONE AND LIMITED OFFICE-CONDITIONAL OVERLAY (LO-CO) COMBINING DISTRICT FOR TRACT TWO.**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**

**PART 1.** The zoning map established by Section 25-2-191 of the City Code is amended to change the base district on the property described in Zoning Case No.C14-03-0137, on file at the Neighborhood Planning and Zoning Department, as follows:

Tract One: From family residence (SF-3) district to general commercial services-conditional overlay (CS-CO) combining district.

A 9.410 acre tract of land, more or less, out of the Isaac Decker League in Travis County, the tract of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance, and

Tract Two: From family residence (SF-3) district to limited office-conditional overlay (LO-CO) combining district.

A 1.413 acre tract of land, more or less, out of the Isaac Decker League in Travis County, the tract of land being more particularly described by metes and bounds in Exhibit "B" incorporated into this ordinance, (the "Property")

locally known as 500 East Ben White Boulevard, in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "C".

**PART 2.** The Property within the boundaries of the conditional overlay combining district established by this ordinance is subject to the following conditions:

1. Vehicular access from the Property to Alpine Road is prohibited. All vehicular access to the Property shall be from other adjacent public streets or through other adjacent property.

2. The maximum impervious coverage for Tract One is 80 percent
3. The following uses are prohibited uses of Tract One:

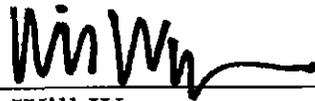
Bail bond services	Campground
Commercial off-street parking	Construction sales and services
Drop-off recycling collection facility	Equipment repair services
Pawn shop services	Vehicle storage
Transitional housing	Transportation terminal
Adult oriented businesses	

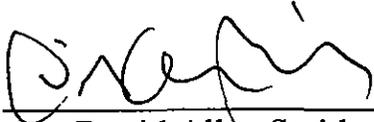
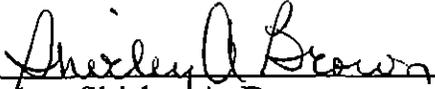
Except as specifically restricted under this ordinance, the Property may be developed and used in accordance with the regulations established for the respective base districts and other applicable requirements of the City Code.

**PART 3.** This ordinance takes effect on May 3, 2004.

**PASSED AND APPROVED**

\_\_\_\_\_ April 22 \_\_\_\_\_, 2004      §  
   §  
   §

\_\_\_\_\_  \_\_\_\_\_  
Will Wynn  
Mayor

**APPROVED:**  \_\_\_\_\_ **ATTEST:**  \_\_\_\_\_  
David Allan Smith      Shirley A. Brown  
City Attorney      City Clerk



Professional Land Surveying, Inc.  
Surveying and Mapping

EXHIBIT A

Office: 512-443-1724  
Fax: 512-441-6987

2807 Manchaca Road  
Building One  
Austin, Texas 78704

**ZONING DESCRIPTION**  
**9.410 ACRES**  
**ISAAC DECKER LEAGUE**

A DESCRIPTION OF 9.410 ACRES (409,905 S.F.) OF LAND OUT OF THE ISAAC DECKER LEAGUE IN TRAVIS COUNTY, TEXAS, BEING A PORTION OF THAT 16.094 ACRE TRACT CONVEYED TO GALAXIE CORPORATION IN A WARRANTY DEED DATED DECEMBER 28, 1962, RECORDED IN VOLUME 2564, PAGE 398, DEED RECORDS OF TRAVIS COUNTY, TEXAS; SAID 9.410 ACRES BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**BEGINNING** at a calculated point in the west line of the 16.094 acre tract, being also in the east line of Block A, Twin Oaks Industrial Subdivision, a subdivision of record in Volume 37, Page 23, of the Plat Records of Travis County, Texas, from which a 1/2" rebar found for the northwest corner of a 1.115 acre tract recorded in Volume 13129, Page 443, of the Real Property Records of Travis County, Texas, in the north right-of-way line of US Highway 290, the northeast corner of a 0.619 acre tract recorded in Volume 11616, Page 699, of the Real Property Records of Travis County, Texas and being the southeast corner of the remainder of Lot 1, Block A, Twin Oaks Industrial Subdivision, bears South 27°06'19" West, a distance of 266.18 feet;

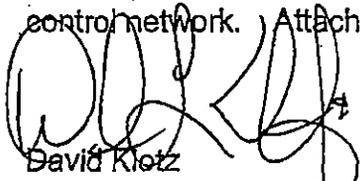
**THENCE** North 27°06'19" East, with the west line of the 16.094 acre tract and the east line of Block A, Twin Oaks Industrial Subdivision, passing at 1048.18 feet a 1/2" rebar found for the southeast corner of the termination of Alpine Road (80' right-of-way width), and continuing for a total distance of 1128.53 feet to a 1/2" rebar found in the west line of the 16.094 acre tract, being also the northeast corner of the termination of Alpine Road and the southeast corner of the Twin Oaks Associates tract recorded in Volume 10201, Page 185, of the Real Property Records of Travis County, Texas, from which a 1/2" iron pipe found bears North 27°00'21" East, a distance of 169.41 feet;

**THENCE** leaving the northeast corner of Twin Oaks Industrial Subdivision, South 57°33'28" East over the 16.094 acre tract, a distance of 370.25 feet to a calculated point in the east line of the remainder of the 16.094 acre tract, being also in the west right-of-way line of Payload Pass and the west line of a 25 foot wide strip of land recorded in Volume 2944, Page 2231 of the Deed Records of Travis County, Texas, from which a 1/2" rebar with cap set bears North 27°04'53" East, a distance of 131.99 feet;

**THENCE** South 27°04'53" West, crossing the 16.094 acre tract, a distance of 1093.94 feet to a calculated point, from which a 1/2" rebar with cap set for the intersecting cutback for the west right-of-way line of Payload Pass and the north right-of-way line of US Highway 290 bears South 27°04'53" West, a distance of 261.03 feet;

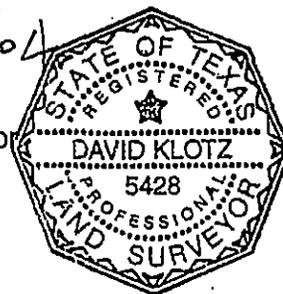
**THENCE** North 62°55'07" West, leaving the west right-of-way line of Payload Pass and the west line of the said 25 foot wide strip of land, over and across the 16.094 acre tract, a distance of 369.11 feet to the **POINT OF BEGINNING**, containing an area of 9.410 acres of land, more or less.

Prepared from a survey made on the ground May, 2003. Bearing basis is Grid Azimuth for the Texas Central Zone, 1983/93 HARN values from the LCRA survey control network. Attachments: Survey Drawing 400-001-ZN1.

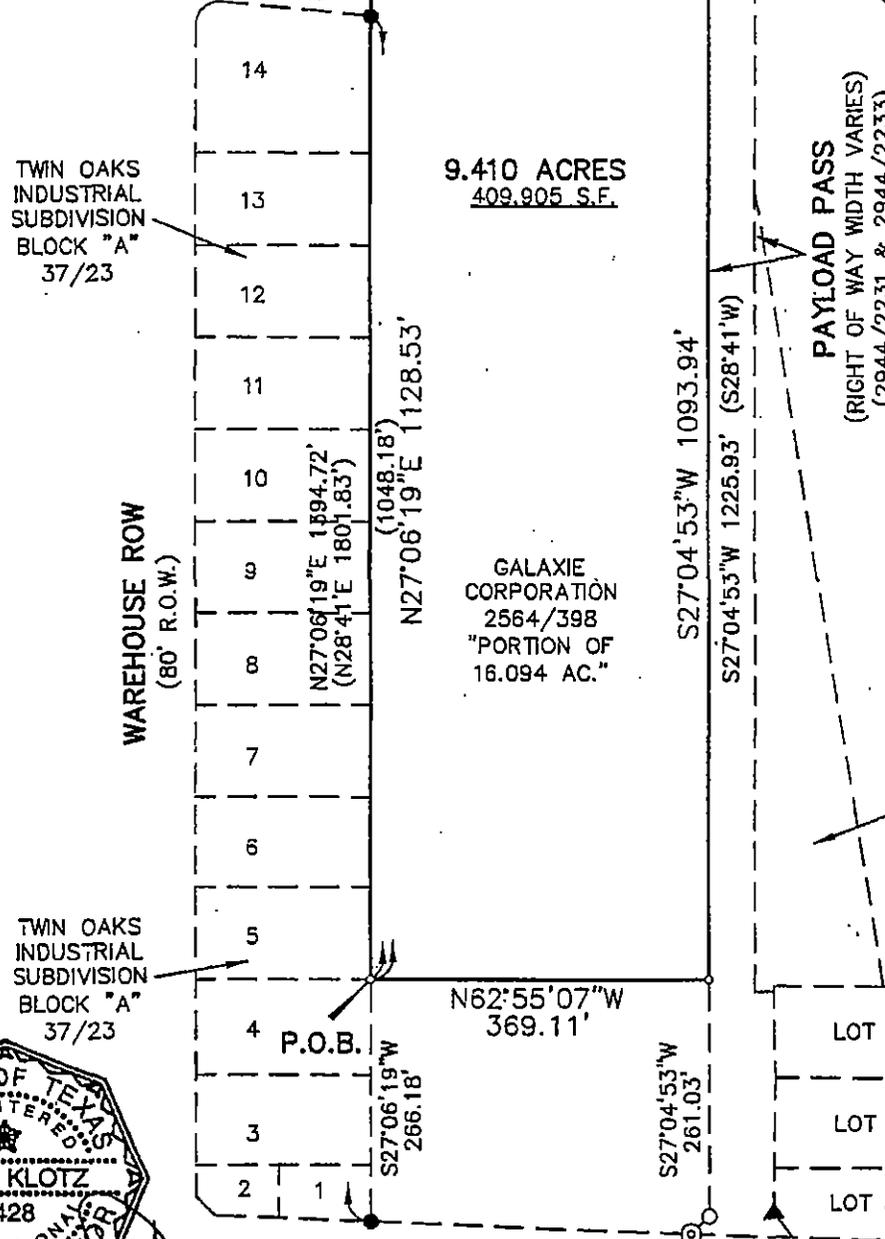
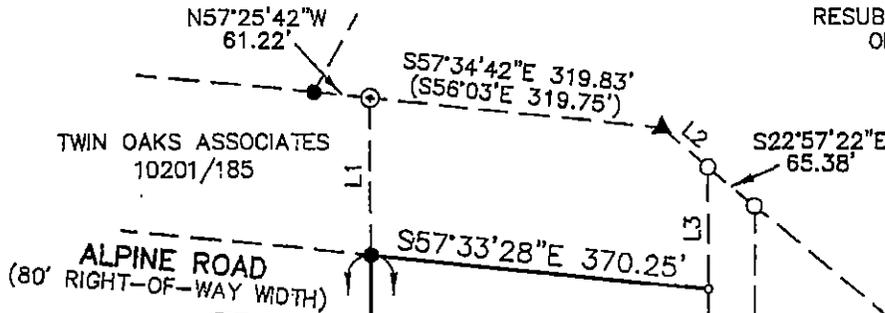


David Klotz  
Registered Professional Land Surveyor  
State of Texas No. 5428

03/01/04



LOT 1  
RESUBDIVISION OF A PORTION  
OF TRACT 2 PENICK  
SUBDIVISION  
101/41

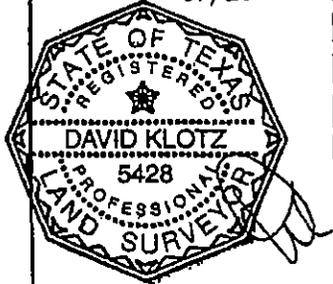


SCALE: 1"=200'

18.09 AC.  
TWIN OAKS ASSOCIATES  
10266/397

REMAINDER OF A 20.05 AC.  
TWIN OAKS ASSOCIATES  
(2003183078, 2003183079,  
2003183080 & 2003183081)

WOODRUFF  
BOULEVARD  
ADDITION  
25/1



PROJECT NO: 400-001  
DRAWING NO: 400-001-ZN1  
PLOT DATE: 03/01/04  
DRAWN BY: DK  
PAGE 1 OF 2

BEN WHITE BLVD.  
(RIGHT-OF-WAY WIDTH VARIES)  
(13129/443 & 11616/699)

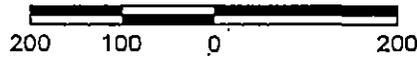
Chaparral

A SKETCH TO ACCOMPANY A DESCRIPTION OF 9.410 ACRES (409,905 S.F.) OF LAND OUT OF THE ISAAC DECKER LEAGUE IN TRAVIS COUNTY, TEXAS, BEING A PORTION OF THAT 16.094 ACRE TRACT CONVEYED TO GALAXIE CORPORATION IN A WARRANTY DEED DATED DECEMBER 28, 1962, RECORDED IN VOLUME 2564, PAGE 398, DEED RECORDS OF TRAVIS COUNTY, TEXAS.

LEGEND

⊙	1/2" PIPE FOUND
○	CALCULATED POINT
▲	60D NAIL FOUND
●	1/2" REBAR FOUND
○	1/2" REBAR W/CAP SET

SCALE IN FEET



LINE TABLE		
No.	BEARING	LENGTH
L1	N27°00'21"E	169.41'
L2	S22°57'22"E	65.77'
L3	N27°04'53"E	131.99'



PROJECT NO: 400-001  
 DRAWING NO: 400-001-ZN1  
 PLOT DATE: 03/01/04  
 DRAWN BY: DK  
 PAGE 2 OF 2

*Chaparral*

BEARING BASIS: GRID AZIMUTH FOR TEXAS CENTRAL ZONE, 1983/93 HARN VALUES FROM LCRA CONTROL NETWORK.

ATTACHMENTS: METES AND BOUNDS DESCRIPTION 400-001-ZN1.DOC



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EXHIBIT B

ZONING DESCRIPTION  
1.413 ACRES  
ISAAC DECKER LEAGUE

A DESCRIPTION OF 1.413 ACRES (61,541 S.F.) OF LAND OUT OF THE ISAAC DECKER LEAGUE IN TRAVIS COUNTY, TEXAS, BEING A PORTION OF THAT 16.094 ACRE TRACT CONVEYED TO GALAXIE CORPORATION IN A WARRANTY DEED DATED DECEMBER 28, 1962, RECORDED IN VOLUME 2564, PAGE 398, DEED RECORDS OF TRAVIS COUNTY, TEXAS; SAID 1.413 ACRES BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**BEGINNING** at a 1/2" rebar found in the west line of the 16.094 acre tract, being also the northeast corner of the termination of Alpine Road and the southeast corner of the Twin Oaks Associates tract recorded in Volume 10201, Page 185, of the Real Property Records of Travis County, Texas, from which a calculated point bears South 27°06'19" West, a distance of 1128.53 feet;

**THENCE** leaving the northeast corner of Twin Oaks Industrial Subdivision, North 27°00'21" East along the west line of the 16.094 acre tract and the east line of the Twin Oaks Associates tract, a distance of 169.41 feet to a 1/2" iron pipe found for the northwest corner of the 16.094 acre tract, being also the northeast corner of the Twin Oaks Associates tract and in the southwest line of Lot 1, Resubdivision of a Portion of Tract 2, Penick Subdivision, a subdivision of record in Volume 101, Page 41 of the Plat Records of Travis County, Texas, from which a 1/2" rebar found bears North 57°25'42" West, a distance of 61.22 feet;

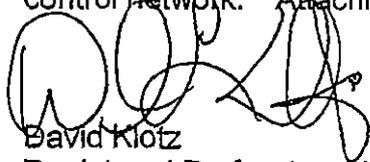
**THENCE** with the north line of the 16.094 acre tract and the south line of the Resubdivision of a Portion of Tract 2, Penick Subdivision, the following two (2) courses:

1. South 57°34'42" East, a distance of 319.83 feet to a 60d nail found;
2. South 22°57'22" East, a distance of 65.77 feet a 1/2" rebar with cap set for the northeast corner of the remainder of the 16.094 acre tract, being also in the south line of the Resubdivision of a Portion of Tract 2, the northwest corner of Payload Pass and the northwest corner of a 25 foot wide strip of land recorded in Volume 2944, Page 2231 of the Deed Records of Travis County, Texas, from which a 1/2" rebar set bears South 22°57'22" East, a distance of 65.38 feet;

**THENCE** South 27°04'53" West, along the west right-of-way line of Payload Pass and the west line of the said 25 foot wide strip of land, over and across the remainder of the 16.094 acre tract, a distance of 131.99 feet to a calculated point, from which a calculated point bears South 27°04'53" West, a distance of 1093.94 feet;

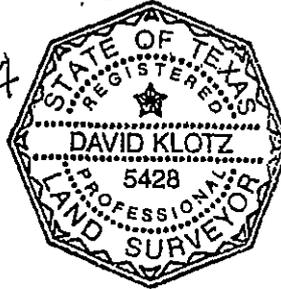
**THENCE** North 57°33'28" West, leaving the west right-of-way line of Payload Pass and the west line of the said 25 foot wide strip of land, over and across the 16.094 acre tract, a distance of 370.25 feet to the **POINT OF BEGINNING**, containing an area of 1.413 acres of land, more or less.

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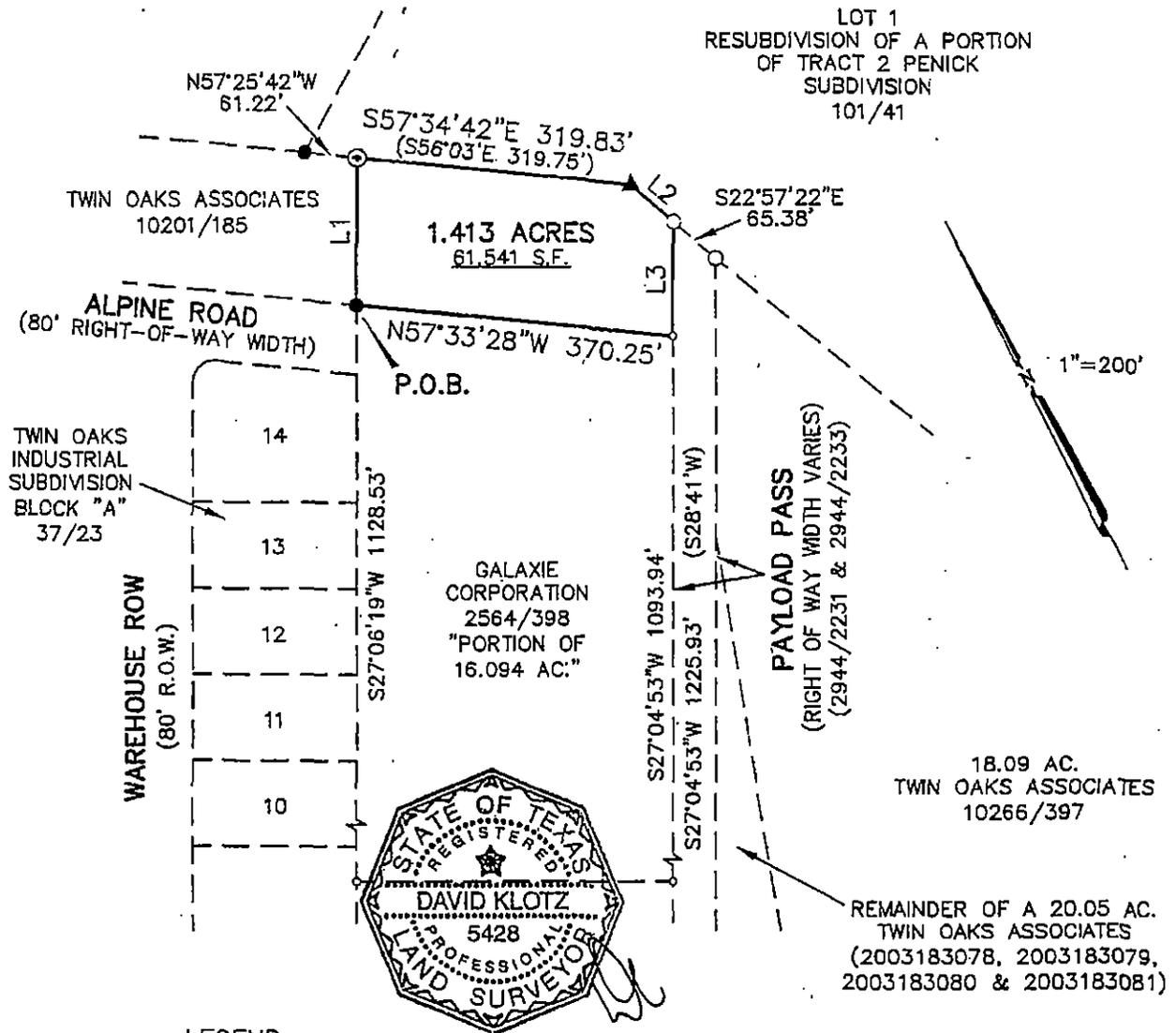


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LEGEND

⊙	1/2" PIPE FOUND
○	CALCULATED POINT
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○	1/2" REBAR W/CAP SET

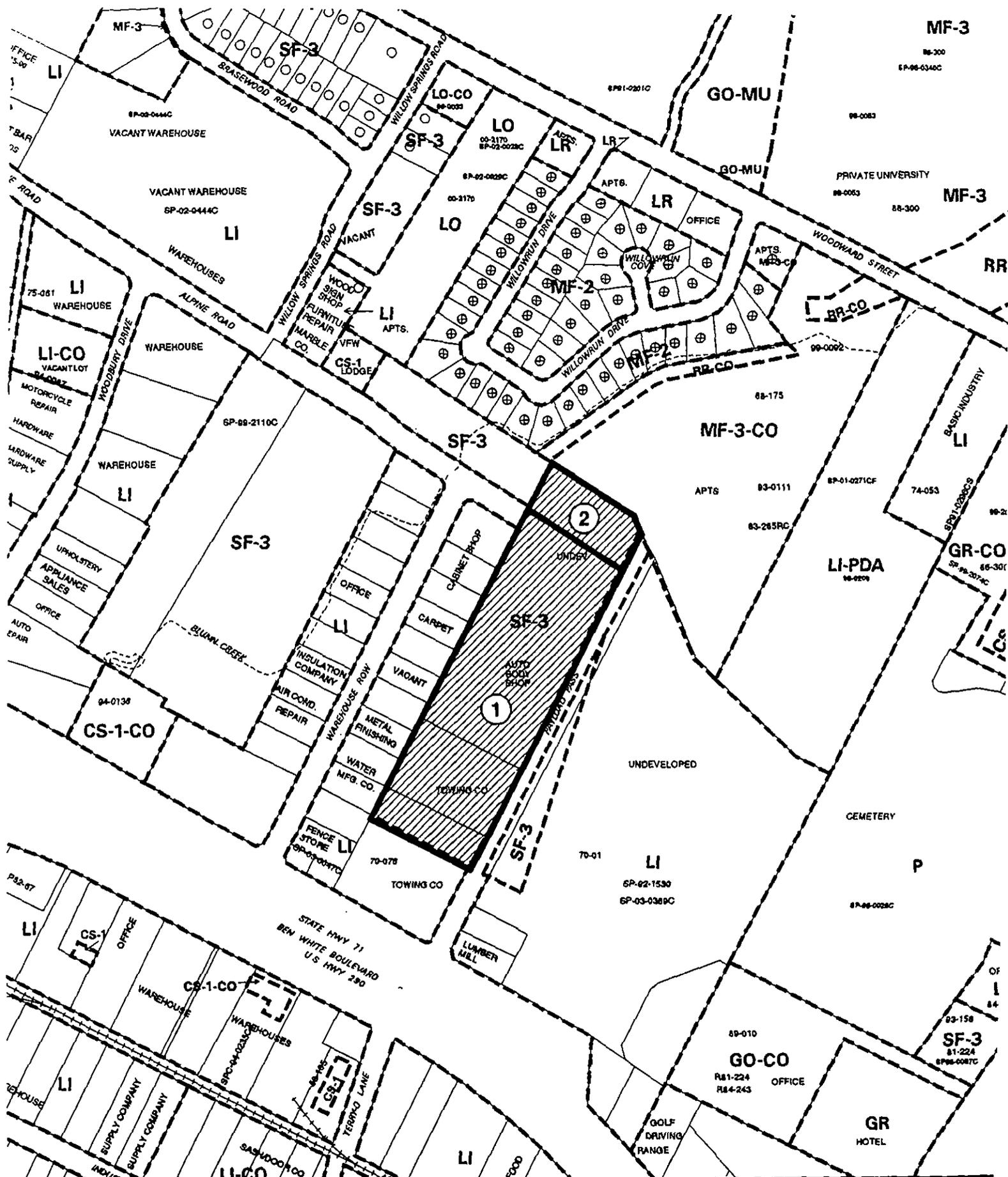
LINE TABLE		
No.	BEARING	LENGTH
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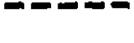
PROJECT NO: 400-001  
DRAWING NO: 400-001-ZN2  
PLOT DATE: 03/01/04  
DRAWN BY: DK  
PAGE 1 OF 1

*Chaparral*

BEARING BASIS: GRID AZIMUTH FOR TEXAS CENTRAL ZONE, 1983/93  
HARN VALUES FROM LCRA CONTROL NETWORK.

ATTACHMENTS: METES AND BOUNDS DESCRIPTION 400-001-ZN2.DOC



 1" = 400'	SUBJECT TRACT 	<b>ZONING EXHIBIT C</b>	CITY GRID REFERENCE NUMBER <b>H18</b>	
	PENDING CASE 			<b>CASE #: C14-03-0137</b>
	ZONING BOUNDARY 			<b>ADDRESS: 500 E BEN WHITE BLVD</b>
	CASE MGR: A. BEAUDET			<b>DATE: 04-03</b> <b>INTLS: SM</b>
<b>SUBJECT AREA (acres): 10.823</b>				